

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

BERT MEYER,

Plaintiff,

vs.

MATSON NAVIGATION COMPANY,
INC.; and PACIFIC LIVESTOCK,
INC.,

Defendant.

CIVIL NO. 1:04cv 00049JMS-BMK

DECLARATION OF BARBARA A.
BODAGER and EXHIBIT "A"

DECLARATION OF BARBARA A. BODAGER

I, BARBARA A. BODAGER, declare:

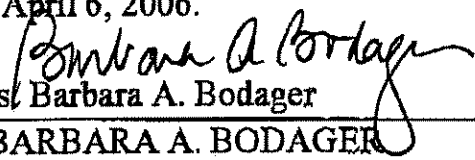
1. I am employed by Matson Navigation Company, Inc. ("Matson Navigation") as Assistant General Counsel, and I have personal knowledge of the matters stated in this declaration. I am fully competent to testify with respect to these matters.

2. Attached hereto as Exhibit "A" is a true and correct copy of prior versions of portions of Freight Tariff No. 14-F which contain the indemnity

agreement in question. As indicated by document D 1507, the indemnity provision in questions has been part of Freight Tariff No. 14-F since as early as May 1998.

I declare the foregoing under penalty of perjury under the laws of the United States.

DATED: Oakland, California, April 6, 2006.


/s/ Barbara A. Bodager

BARBARA A. BODAGER